

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

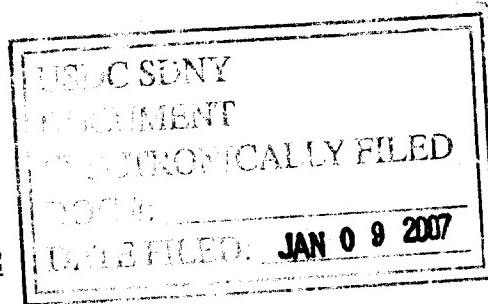
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UNITED STATES OF AMERICA :

ALEX LUKOV,
a/k/a "Oleg,"
a/k/a "Alex Lukovos,"

Defendant.

- - - - - x

COUNT ONE



The Grand Jury charges:

1. From in or about June 2005 up to and including in or about February 2006, in the Southern District of New York and elsewhere, ALEX LUKOV, a/k/a "Oleg," a/k/a "Alex Lukovos," the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Title 18, United States Code, Sections 1341, 1343 and 1344.

2. It was a part and an object of the conspiracy that ALEX LUKOV, a/k/a "Oleg," a/k/a "Alex Lukovos," the defendant, and others known and unknown, having devised and intending to devise a scheme and artifice to defraud financial institutions, and for obtaining money and property from financial institutions,

banks, and others, by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice and attempting so to do, unlawfully, willfully and knowingly would and did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal Service, and would and did deposit and cause to be deposited matters and things to be sent and delivered by a private and commercial interstate carrier, and would and did take and receive therefrom, such matters and things, and would and did knowingly cause to be delivered by mail and such carrier according to the direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, such matters and things, in violation of Title 18, United States Code, Section 1341.

3. It was further a part and an object of the conspiracy that ALEX LUKOV, a/k/a "Oleg," a/k/a "Alex Lukovos," the defendant, and others known and unknown, unlawfully, willfully and knowingly would and did devise a scheme and artifice to defraud financial institutions, and to obtain money and property from financial institutions, banks, and others, by means of false and fraudulent pretenses representations and promises, and for the purpose of executing such schemes and attempting to do so, would and did transmit and cause to be transmitted by means of wire and radio communication in

interstate and foreign commerce, writings, signs, signals, pictures and sounds, in violation of Title 18, United States Code, Section 1343.

4. It was further a part and an object of the conspiracy that ALEX LUKOV, a/k/a "Oleg," a/k/a "Alex Lukovos," the defendant, and others known and unknown, unlawfully, willfully, and knowingly would and did execute a scheme and artifice to defraud financial institutions, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institutions, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

MEANS OF THE CONSPIRACY

5. It was a means of the conspiracy that ALEX LUKOV, a/k/a "Oleg," a/k/a "Alex Lukovos," the defendant, submitted, caused to be submitted, and aided and abetted others to submit, false financial information to lending institutions and others in order to procure loans for the purchase of residential real estate.

OVERT ACTS

6. In furtherance of the conspiracy, and to effect the objects thereof, ALEX LUKOV, a/k/a "Oleg," a/k/a "Alex Lukovos,"

the defendant, and others known and unknown, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. In or about September 2005, ALEX LUKOV, a/k/a "Oleg," a/k/a "Alex Lukovos," the defendant, caused materially false statements to be made and used in connection with another individual's application for mortgage loans in the total amount of approximately \$475,000 for the purchase of a property in Sullivan County, New York.

b. On or about October 28, 2005, LUKOV attended a real estate closing in Brooklyn, New York for the purchase of a property located in Sullivan County, New York.

c. On or about October 28, 2005, LUKOV caused a document to be sent by facsimile from Brooklyn, New York to a representative of a lending institution who was located in California.

d. In or about November 2005, LUKOV submitted and caused to be submitted to a First Franklin branch office in Tarrytown, New York, loan application documents that contained false and misleading statements in connection with an application for a mortgage loan in the amount of approximately \$750,000 for the purchase of a property located at 839 Cliffside Avenue, North Woodmere, New York.

e. On or about November 8, 2005, LUKOV spoke by

telephone to a representative of the First Franklin branch office in Tarrytown, New York and provided false information about the employment of an applicant for a mortgage loan.

f. In or about February 2006, LUKOV caused recorded real estate documents to be mailed from Sullivan County, New York.

(Title 18, United States Code, Section 1349.)

COUNTS TWO AND THREE

(Wire Fraud on BNC Mortgage Company re:
330 Old Tacy Road, Sullivan County, New York)

The Grand Jury further charges:

7. From in or about June 2005 up to and including in or about February 2006, in the Southern District of New York and elsewhere, ALEX LUKOV, a/k/a "Oleg," a/k/a "Alex Lukovos," unlawfully, willfully, and knowingly did devise a scheme and artifice to defraud and to obtain property by means of false and fraudulent pretenses and representations, and did transmit and cause to be transmitted by means of wire and radio communication in interstate commerce, a writing, sign, signal, picture and sound, to wit, in order to obtain home mortgage and/or equity loans totaling approximately \$475,000 for a property in Sullivan County, New York, which loans were authorized by interstate wire transmissions on or about the dates identified in the table below, LUKOV submitted and caused to be submitted to BNC Mortgage Company documents containing false representations and material

omissions about, among other things, the borrower's employment, income and interest in the property.

<u>Count</u>	<u>Date of wire</u>	<u>Amount wired</u>
Two	10/28/2005	\$383,738
Three	10/28/2005	\$94,724

(Title 18, United States Code, Sections 1343 and 2.)

COUNTS FOUR AND FIVE

(Mail Fraud on BNC Mortgage Company re:
330 Old Tacy Road, and 358 Horseshoe Lake Road,
Sullivan County, New York)

The Grand Jury further charges:

8. From in or about June 2005 up to and including in or about February 2006, in the Southern District of New York and elsewhere, ALEX LUKOV, a/k/a "Oleg," a/k/a "Alex Lukovos," the defendant, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, to wit, a scheme to obtain home mortgage and/or equity loans totaling approximately \$877,500 by, among other things, submitting and causing to be submitted to BNC Mortgage Company documents containing false representations and material omissions regarding the borrower's employment, income and interest in the property identified in the table below, among other things, for

the purpose of executing such scheme and artifice and attempting so to do, unlawfully, willfully and knowingly would and did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal Service, and would and did take and receive therefrom, such matters and things, and would and did knowingly cause to be delivered by mail according to the direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, such matters and things, to wit, LUKOV, caused the following mailings to be made from Sullivan County, New York, for the purpose of defrauding BNC Mortgage Company:

<u>Count</u>	<u>Date of recording</u>	<u>Mailing</u>
Four	2/9/2006	mortgage for 358 Horseshoe Lake Road
Five	2/28/2006	mortgages for 330 Old Tacy Road

(Title 18, United States Code, Sections 1341 and 2.)

COUNT SIX

(Bank Fraud on National City Bank re:
358 Horseshoe Lake Road, Sullivan County, New York

The Grand Jury further charges:

9. From in or about June 2005 up to and including in or about February 2006, in the Southern District of New York and elsewhere, ALEX LUKOV, a/k/a "Oleg," a/k/a "Alex Lukovos," the

defendant, unlawfully, willfully, and knowingly did execute, and attempt to execute, a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations and promises, to wit, LUKOV submitted, and caused to be submitted, to National City Bank documents containing false representations and material omissions regarding the borrower's employment, income and interest in the property, among other things, in order to procure a loan in the amount of approximately \$113,750 for the purchase of 358 Horseshoe Lake Road, Sullivan County, New York.

(Title 18, United States Code, Sections 1344 and 2.)

COUNT SEVEN

(Bank Fraud on First Franklin re:
839 Cliffside Avenue, North Woodmere, New York)

The Grand Jury further charges:

10. From at least in or about September 2005 up to and including in or about December 2006, in the Southern District of New York and elsewhere, ALEX LUKOV, a/k/a "Oleg," a/k/a "Alex Lukovos," the defendant, unlawfully, willfully, and knowingly did execute, and attempt to execute, a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain

moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations and promises, to wit, LUKOV submitted, and caused to be submitted, to the Tarrytown, New York branch office of First Franklin, documents containing false representations and material omissions regarding the borrower's employment, income and intent to live in the property as a primary residence, among other things, in order to procure a loan in the amount of approximately \$750,000 for the purchase of 839 Cliffside Avenue, North Woodmere, New York.

(Title 18, United States Code, Sections 1344 and 2.)

COUNT EIGHT

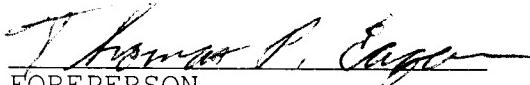
(False Statement in a Loan Application for
839 Cliffside Avenue, North Woodmere, New York)

The Grand Jury further charges:

11. On or about November 8, 2005, in the Southern District of New York and elsewhere, ALEX LUKOV, a/k/a "Oleg," a/k/a "Alex Lukovos," the defendant, unlawfully, willfully, and knowingly made a false statement and report for the purpose of influencing the action of an institution the accounts of which were insured by the Federal Deposit Insurance Corporation upon an application, commitment, and loan, to wit, LUKOV submitted and reported false information regarding a borrower's employment, among other things, to the Tarrytown, New York branch office of

First Franklin, in order to procure a loan in the amount of approximately \$750,000 for the purchase of 839 Cliffside Avenue, North Woodmere, New York.

(Title 18, United States Code, Section 1014 and 2.)


Thomas P. Eager

FOREPERSON


Michael J. Garcia

MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

ALEX LUKOV,
a/k/a "Oleg,"
a/k/a "Alex Lukovos,"

Defendant.

INDICTMENT

S1 07 Cr. 850 (RJS)

(Title 18, United States Code,
Sections 1014, 1341, 1343, 1344,
1349 and 2.)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Thomas P. Dager
Foreperson.
